

Notice of Allowability

Application No.

10/649,268

Examiner

Susan S. Lee

Applicant(s)

KOYAMA ET AL.

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/21/05.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 27 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1, 8, 11, and 12 is the inclusion of a developer container having a hollow elongated outer body with a fresh developer accommodating portion; a waste developer accommodating portion; a partition wall separating the portions, the partition wall extending from a top wall of the outer body; and the width of the developer container in the horizontal direction substantially perpendicular to the longitudinal direction, of the interior of an upper part of the fresh developer accommodating portion immediately adjacent the top wall is substantially equal to or less than a corresponding width of a lower part of the fresh developer accommodating portion everywhere below the upper part of the fresh developer accommodating portion. This is found in all of claims 1, 8, 11, and 12, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claims 2-5 and 9 is the inclusion of a guide member extending inwardly of the waste developer accommodating portion; a waste developer lid provided in the waste developer accommodating portion, the waste developer lid being slidably guided by the guide member so as to open and close the collection opening; a resilient urging mechanism that urges the waste developer lid in the direction in which the waste developer lid closes the collection opening, the waste developer lid moves away from the collection opening overcoming the force of the resilient urging mechanism when the waste developer discharging opening receives the developer discharging mechanism; and the guide member covers at least the collection

opening from above in a state where the developer container is attached to the print process cartridge. This is found in all of claims 2-5 and 9, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claims 6, 7, and 10 is the inclusion of a discharging mechanism having a waste developer discharging opening through which the waste developer is discharged, and a discharging lid that opens and closes the waste developer discharging opening; the discharging lid opens the waste developer discharging opening of the developer discharging mechanism when the waste developer discharging opening of the developer discharging mechanism enters into the waste developer accommodating portion through the collection opening, and the discharging lid closes the waste developer discharging opening when the waste developer discharging opening of the developer discharging mechanism moves out of the waste developer accommodating portion through the collection opening. This is found in all of claims 6, 7, and 10, but not disclosed nor suggested by the prior art of record.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mercer (284) discloses a service unit with a fresh toner storage and a waste toner storage.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
Art Unit 2852

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